

Claim Amendments

All previously pending claims have been cancelled. New claims 29-34 have been added by the present amendment. No new matter has been added by the amendments to the claims.

35 U.S.C. 112

Claims 1-10, 18-21 and 27 and 28 have been rejected under 35 U.S.C. 112, second paragraph. Applicant submits that the cancellation of these claims moots the present rejection. Accordingly, reconsideration and withdrawal of the outstanding rejection is proper and such action is respectfully requested.

35 U.S.C. 103

Claims 1-4, 6-9, 18-21, 27 and 28 have been rejected under 35 U.S.C. 103 as allegedly being unpatentable over Bailey et al in view of Slouka. Claims 5 and 10 have been rejected under 35 U.S.C. 103 as allegedly being unpatentable over Bailey et al. in view of Slouka in further view of Hoffmeister et al. In an effort to expedite the present application to allowance, Applicant has cancelled the pending claims without waiver or prejudice and presents new claims 29-34 for examination.

Applicant respectfully submits that new claims 29-34 are patentable over the art of record. Specifically, as discussed at the Office Interview, Applicant submits that the prior art does not teach or suggest (in fact teaches away from) a portable dental treatment system comprising a dental tray that includes tool holders for holding tools over a patient during a procedure. The tools are powered by components disposed in the cabinet. Prior art portable systems suffered from the drawback that the powered tools were disposed on the side of the apparatus, and thus the side of the patient, leading to the problems discussed in the specification:

It has been discovered by the invention named herein (the inventor) that existing portable dental treatment systems place undue physical strain upon the providers of dental services (e.g., dental surgeons and/or dental technicians). In particular, it has been discovered by the inventor

that existing portable dental treatment systems tend to provide delivery of dental services in a manner substantially different than the manner in which dental services are ordinarily provided in permanent (e.g., non-portable) dental operatories.

In permanent dental operatories, dental services are ordinarily provided to patients via what is known in the art as “over-the-patient” mode. In contrast, in virtually all related-art portable dental treatment systems, dental services are generally provided in what will be referred to herein as “side-of-the-patient” mode. That is, rather than the dental treatment system suspending dental instruments such that a dental patient chair (and hence a patient) can be positioned substantially below the dental instruments, in related-art portable dental treatment systems, the dental instruments are often positioned in such a way that the instruments are to the side of the dental patient chair (and hence the dental patient).

Dental surgery, even under the best of working conditions, is physically fatiguing in that it requires both physical strength and manual dexterity in order to provide efficient and safe dental treatment to a dental patient (e.g., having the physical strength to remove a temporary dental crown held in place with temporary dental cement, and the manual dexterity to remove the temporary dental crown without damaging adjacent teeth). Insofar as both physical strength and manual dexterity tend to degrade with physical fatigue, permanent dental operatories are designed such that dental services can be provided with a minimal of physical strain on dental surgeons and/or dental technicians assisting dental surgeons. One aspect of such design of permanent dental operatories is over-the-patient delivery, which has been found empirically to minimize physical fatigue and strain on both dental surgeons and/or dental technicians assisting dental surgeons. The inventor has recognized that insofar as the working conditions in a portable dental operating room environment tend to be significantly degraded relative to a permanent dental operating room environment, it would be advantageous to have a portable dental treatment system which provides over-the-patient delivery of dental services in a fashion analogous to that utilized in permanent, or fixed, dental operating room environments.

Specification, p.3 In 18 to p. 4 In 18.

With respect to the art of record, Bailey et al. is a side-of-the-patient system having the prior art drawbacks discussed above. Slouka (nor Hoffmeister et al.) does not remedy the shortcomings of Bailey et al. because Slouka does not provide for power tools to be suspended over the patient and powered by components in the cabinet for providing over-the-patient dental services.

In view of the foregoing, Applicant respectfully submits that the present invention as set forth in new claims 29-34 is are patentable over the art of record

CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance and early notification of the same is earnestly requested. Should the Examiner have and questions of comments or otherwise deem that prosecution of the present application may be advanced, the Examiner is invited to contact Applicant's representative at the number below.

Respectfully submitted,
CAHN & SAMUELS, L.L.P.

By: /William Bradley/
William E. Bradley, Esq.
Reg. No.: 42,355
CAHN & SAMUELS, LLP
1100 17TH Street N.W.
Suite 401
Washington, DC 20036-4650
Telephone No.: 202-331-8777
Facsimile No.: 202-331-3838

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